

NEWPORT BEACH HARBOR COMMISSION REGULAR MEETING MINUTES
City Council Chambers
Wednesday, April 10, 2013
6:00 p.m.

1) CALL MEETING TO ORDER

The meeting was called to order at 6:00 p.m.

2) ROLL CALL

Commissioners: Doug West, Chair
Brad Avery
Paul Blank
David Girling
Duncan McIntosh
Karen Rhyne
Ralph Rodheim

Staff Members: Chris Miller, Harbor Resources Manager
Shannon Levin, Harbor Resources Supervisor

Council Liaison: Council Member Nancy Gardner

3) PLEDGE OF ALLEGIANCE – Chair West

4) PUBLIC COMMENTS

Chair West invited those interested in addressing the Commission to do so at this time. There was no response and Chair West closed the Public Comments section of the meeting.

5) APPROVAL OF MINUTES from February 13, 2013

Interested parties were invited to address the Commission on this item. Jim Mosher submitted written comments regarding the minutes. Staff reported that the corrections were incorporated into the minutes.

Motion: Commissioner Blank made a motion to approve the minutes of the Harbor Commission regular meeting of February 13, 2013, as corrected. Commissioner McIntosh seconded the motion, which carried with 5 ayes and 2 abstentions. Approved.

6) CURRENT BUSINESS

A. Potential Anchorage Area West of Lido Isle

Chair West introduced the matter and reported that during the recent dredging project the area west of Lido Isle was established as a temporary anchorage but that the anchorage has now been moved back to the other end of Lido. He stated that during the time when the temporary anchorage was in place, it was suggested that the temporary anchorage should be made permanent as an addition to the traditional anchorage area. The Commission established consideration of the matter as one of its annual objectives. Chair West added that a decision will not be made at this time, but that the Commission is hereby soliciting input from the public regarding the matter.

Interested parties were invited to address the Commission on this item.

Seymour Beek indicated that he was an early proponent of providing anchorage west of Lido Isle and encouraged the Commission to move forward with the project. He addressed the possibility of phasing out anchorage at the east end of Lido Isle in order to minimize the number of boats there and facilitate races.

Richard Ingell stated that he would prefer keeping both areas as anchorages. He felt that the City has moved away from supporting the harbor area in recent years and noted the importance of the harbor for the City.

Walter Havekorst commented in support of keeping both areas as anchorages. He stated that the more opportunities to get the public to use the harbor, the better for the community.

Pam Whitesides, representing five area residents, stated that she is firmly against temporary anchorage and expressed concerns regarding increased noise.

Don and Judy Cole felt that the west end of Lido Isle is too small to consider temporary or seasonal anchorage. He addressed the differences between the west and east areas and provided testimony regarding drifting boats on the west end. He expressed concerns with safety due to the highly impacted anchorage occurring during the temporary anchorage period west of Lido Isle.

Catherine Johansen complained of high levels of noise coming from the additional concentration of boats docking and transversing the area west of Lido Isle. She expressed concerns regarding the impact of additional traffic and parking in the area and felt that it will create a public safety hazard and will negatively impact the quality of life of nearby residents. She asked that the Commission carefully consider the issue.

There being no others wishing to address the Commission, Chair West closed public comments on this matter.

Chair West reiterated that no decision will be made at this time but reported that a Subcommittee has been established to carefully consider the matter and provide recommendations to the Commission and subsequently, Council.

Commissioner Avery acknowledged the concerns related to noise and felt that it should be able to be controlled through the City's noise ordinance and stated that no amplified music should be allowed in the anchorage. He added that there needs to be appropriate education and that the City should do a better job of defending the quality of life for residents relative to the noise issue.

Councilmember Gardner commented on the challenges of controlling noise levels on the water, particularly in the short term.

Commissioner Rodheim noted that the Subcommittee will gather all of the public input received, discuss the issue among its members and place the item on a future agenda for consideration by the Commission.

Commissioner McIntosh reported that the Harbor Patrol suggested making that area into seasonal anchorage but noted that does not address the issues being discussed. He noted the need to consider shore side support for the vessels in the area including restroom facilities and public dock areas. He commented on problems created by the anchorage.

Chair West stressed that there has been no decision by the Harbor Commission or the Subcommittee and that appropriate notices will be distributed when the item is agendaized.

Motion: Commission received and filed the report unanimously.

7) SUBCOMMITTEE REPORTS

Commissioner Blank provided a brief update on the Stand-Up Paddle Boarding Subcommittee noting that a public forum was held and that materials presented were very informative. He commented positively on the

event and addressed the possibility of other forums in the future. Chair West commented positively on the success of the forum.

Commissioner Girling provided an update on the Lower Castaways and addressed the success of a recent study session where a number of good ideas were received from the public. He reported that there was question regarding prohibitions by the grant deed and reported receiving clarification from the City Attorney's office. He stated that there is a covenant in the grant deed that lists some of the prohibited uses and addressed the intention of the covenant. He indicated that the Lower Castaways is in a marine-protected area and reported that Mr. Miller received information from the Department of Fish and Game, confirming that as the case. However, there is a discrepancy as to the timeframe in which that designation could be changed so that development can take place. Additionally, he reported that a suggestion was made to communicate with the Bayside Village Marina to obtain an understanding of their operations. He referenced an article from the *Orange County Register* regarding current development at Bayside Village Marina and addressed the timeline for completion of the project.

Commissioner Rodheim gave a report regarding the Subcommittee on Project Lines in the City and noted that the goal is to meet with City staff to determine whether there is an interest for future action.

Commissioner West reported on a meeting of the RGP-54 Subcommittee and feedback received in terms of whether the City should consider getting into the dredging business. Discussion followed regarding small-scale operators being aware of the City's efforts towards a new approach for RGP-54. It was noted that the Subcommittee has the benefit of obtaining expert advice from local contractors.

8) QUESTIONS AND ANSWERS WITH COUNCIL LIAISON ON HARBOR RELATED ISSUES

Councilmember Gardner commented positively on the Stand-Up Paddle Boarding forum noting that many, who should have attended, didn't, but that great connections were made. She addressed input from the Harbor Master and the availability of extensive public information. She reported contacting City staff as well as Visit Newport Beach who agreed to distribute literature in City facilities and hotels. Additionally, she suggested that the information be available for businesses that rent boards to provide to their customers for improved safety.

It was noted that Newport Beach is the Paddle Boarding capital of the United States and that there is a great opportunity for the City to be in a leadership position on the issue. Councilmember Gardner announced an upcoming event in Huntington Beach on Stand-Up Surfing.

9) QUESTIONS AND ANSWERS WITH HARBOR RESOURCES MANAGER ON HARBOR RELATED ISSUES

Harbor Resources Manager Miller provided highlights of issues being worked on by his department including submission of applications for the Balboa Island Beach Replenishment project. He announced an upcoming celebration of the completion of the Lower Bay dredging at Newport Harbor Yacht Club on April 17, 2013 at 2:30 p.m. In addition, Mr. Miller reported that the RGP has a lot of momentum and that a consultant has been selected to help the City with its efforts. Anchor QEA was selected as the consultant through a competitive process and they are on track towards the March 2014 deadline. He provided an update on the Eelgrass issue noting that the final draft should be completed within a week. Additionally, he announced an annual meeting of Harbor Sailing, Charter and Rental organizations on April 11, 2013 at 11:00 a.m. in the old Council Chambers in order to discuss improvement in relations and communications between competing groups in the Harbor.

Discussion followed regarding the Duffy alternative mooring presentation given at the last Commission meeting and the possibility of Mr. Duffield building a prototype to illustrate the potential for the concept. Members of the Commission commented on the need to keep the matter at the forefront.

Ensuing discussion pertained to problems with sea lions in the area and Mr. Miller addressed efforts to relocate a problem vessel and disperse sea lions.

10) PUBLIC COMMENTS ON SUBCOMMITTEE REPORTS OR QUESTIONS AND ANSWERS WITH COUNCIL LIAISON OR HARBOR RESOURCES MANAGER

Interested parties were invited to address the Commission.

Len Bose addressed the promotion of boating season events and noted that there are other ideas out there regarding mooring alternatives. Chair West reported that the on-going consideration of alternative mooring is dedicated to a Subcommittee in meeting the Commission's annual objectives.

There being no others wishing to address the Commission, Chair West closed this portion of the meeting.

11) COMMISSION ANNOUNCEMENTS OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM)

Commissioner McIntosh reported on a recent visit to Jet Lev and commented positively on their operation. He reported that Marshall Duffield contacted him recently and has offered to take him on a solar powered Duffy around Catalina Island. He announced that this will be the 40th year of the Newport Boat Show.

Commissioner Rodheim congratulated the Newport Harbor Yacht Club for hosting the Baldwin Cup. He announced that the public is invited to the kick-off of the Lexus Newport to Ensenada Yacht Race on April 21st. He added that the race will begin on Friday, April 26th at Balboa Pier.

Commissioner Avery hoped that the Duffy proposal on floating docks will be placed on a future agenda. Additionally, he addressed the operation of a charter where there is not enough shore power and suggested the issue of requiring commercial marinas to provide power for vessels be addressed at a future meeting.

Councilmember Gardner suggested that the issue be addressed sooner rather than later due to consideration of the use of generators by Council in the near future.

12) DATE AND TIME FOR NEXT MEETING: Wednesday, May 8, 2013, 6:00 PM

13) ADJOURNMENT

There being no further business to come before the Harbor Commission, the meeting was adjourned at 7:00 p.m.

A handwritten signature in blue ink, appearing to read "West", is written across the page.